

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Devin Lampkin,

Petitioner

v.

High Desert State Prison, et al.,

Respondents

Case No.: 2:23-cv-01997-JAD-EJY

**Order Directing Petitioner to Either File
IFP Application or Pay Filing Fee**

[ECF No. 1]

Pro se Petitioner Devin Lampkin filed a 28 U.S.C. § 2254 petition for writ of habeas corpus,¹ challenging his state conviction. To obtain federal habeas review under 28 U.S.C. § 2254, a petitioner must either pay the required \$5 filing fee or submit an application for leave to proceed *in forma pauperis* (“IFP”).² Because Lampkin did not pay the \$5 filing fee or submit an IFP application, he must either pay the \$5 filing fee or submit an IFP application **no later than January 26, 2024.**


IT IS THEREFORE ORDERED that Lampkin has until January 26, 2024, to either (1) **pay** the \$5 filing fee **or** (2) **file** an IFP application that includes: (a) a financial certificate signed by petitioner and an authorized prison official, (b) a financial declaration and acknowledgement signed by petitioner, and (c) a copy of his inmate account statement for the six-month period prior to filing.

¹ ECF No. 1-1. The initial screening of the petition under the Rules Governing Section 2254 Cases and consideration of his motion for appointment of counsel (ECF No. 2) are deferred until he has fully complied with this order.

² 28 U.S.C. § 1914(a); Judicial Conference Schedule of Fees.

1 **If Lampkin fails to comply with this order by January 26, 2024, this case will be**
2 **dismissed without prejudice and without further advance notice.** To pay the filing fee from
3 his inmate account, Lampkin must arrange to have a copy of this order attached to the check for
4 the filing fee.

5 The Clerk of Court is instructed to **SEND** petitioner a blank form IFP application for
6 incarcerated litigants along with two copies of this order.

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9 U.S. District Judge Jennifer A. Dorsey
December 12, 2023
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